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LEGISLATURE OF THE STATE OF IDAHO  
Sixty-third Legislature First Regular Session - 2015  
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1 AN ACT  
2 RELATING TO FIREWORKS; AMENDING SECTION 39-2609, IDAHO CODE, TO PROVIDE  
3 PENALTIES FOR A FIREWORKS VIOLATION; AND AMENDING SECTION 39-2613,  
4 IDAHO CODE, TO PROVIDE A CODE REFERENCE.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 39-2609, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 39-2609. GENERAL PROHIBITIONS. It shall be unlawful for any person,  
9 except in compliance with this chapter, to:

10 (1) Alter any fireworks;  
11 (2) Throw any fireworks from, into, or at a moving vehicle or at any per-  
12 son;

13 (3) Sell or use any fireworks at any time not permitted under this chap-  
14 ter;

15 (4) Use fireworks in any area that constitutes a severe fire threat  
16 based on the vegetative conditions during the current fire season as deter-  
17 mined by the county commission or authority having jurisdiction, provided  
18 that notice of such areas is given in advance.

19 A violation of this section shall constitute an infraction and shall be  
20 punishable by a fine not to exceed three hundred dollars (\$300). A second  
21 violation of subsection (2) or (4) of this section within two (2) years of  
22 conviction for the first violation shall constitute a misdemeanor and shall  
23 be punishable by a fine not to exceed one thousand dollars (\$1,000). A third  
24 violation of subsection (2) or (4) of this section within four (4) years of  
25 conviction for the first violation shall constitute a misdemeanor and shall  
26 be punishable by a fine not to exceed one thousand dollars (\$1,000) and by  
27 imprisonment in the county jail not exceeding thirty (30) days.

28 SECTION 2. That Section 39-2613, Idaho Code, be, and the same is hereby  
29 amended to read as follows:

30 39-2613. PENALTIES -- INJUNCTIONS. Except as provided in section  
31 39-2609, Idaho Code, aAny person violating the provisions of this chapter or  
32 any rules issued hereunder is guilty of a misdemeanor. Notwithstanding the  
33 existence or use of any other penalty or remedy, any person who violates the  
34 provisions of this chapter or any of the rules promulgated pursuant to this  
35 chapter may, upon application to or with written consent of the authority  
36 having jurisdiction, be enjoined in the manner provided by law from continu-  
37 ing the violation. Fireworks being used in violation of this chapter may be  
38 confiscated by the authority having jurisdiction.